

Appl No. 10/645,080
Atty. Docket No. 9344
Amdt. Dated July 24, 2006
Reply to Office Action of July 13, 2006
Customer No. 27752

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REMARKS

The Office Action states that the restriction to one invention is required under 35 USC §121. Applicants respectfully traverse the Restriction Requirement because there is no serious burden placed on the Examiner to consider all claims.

Restriction Requirement of Claims 1-41

Under MPEP §803, a restriction requirement is proper only if a serious burden is placed on the examiner. If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits. Claims 1-41 are all drawn to an article for cleansing body surfaces comprising an effervescent composition; a first layer that is permeable to a liquid and comprises a web; and a cleansing composition; wherein said article has a Steady Flash Lather Volume of at least 250ml. Claims, 36, 38, and 40 are directed to kits comprising the article, but all claims are directed to utilizing the article for cleansing body surfaces. Applicants submit that the aforementioned articles and kits are so closely related that it would not present an undue burden on the Examiner to examine the art.

For these reasons, Applicants submit that the restriction requirement applied to the above identified application is improper and should be withdrawn.


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Provisional Election

In the event that the Examiner's election is made final, Applicants hereby provisionally elect Group I (claims 1-35). Applicants reserve the right to pursue the non-elected claims in one or more divisional applications.

Respectfully submitted,

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